

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

DAVID SHEPHERD and BRUCE	§	
GOLDFARB, Individually and On	§	
Behalf of a Class of Similarly	§	
Situated Individuals,	§	
	§	
Plaintiffs,	§	
	§	
v.	§	CIVIL ACTION NO. H-03-5292
	§	
WORLDCOM INC., MCI WORLDCOM	§	
MANAGEMENT COMPANY, INC.,	§	
MCI WORLDCOM COMMUNICATIONS,	§	
INC., MCI WORLDCOM NETWORK	§	
SERVICES, INC., and	§	
THE WORLDCOM HEALTH AND	§	
WELFARE BENEFITS PLAN,	§	
	§	
Defendants.	§	

**FINAL JUDGMENT**

For the reasons set forth in the separate Memorandum and Order signed this day, it is

ORDERED and ADJUDGED that Plaintiffs David Shepherd and Bruce Goldfarb shall take nothing against Defendant The WorldCom Health and Welfare Benefits Plan, and Plaintiffs' case against this Defendant is DISMISSED on the merits. There is no just reason for delay in entering a final judgment as to these parties, and the

entry of a Final Judgment is therefore ORDERED. FED. R. CIV. P. 54(b).<sup>1</sup>

This is a **FINAL JUDGMENT**.

The Clerk will enter this Order, providing a correct copy to all parties of record.

SIGNED at Houston, Texas, on this 9th day of September, 2005.

A handwritten signature in black ink, reading "Ewing Werlein, Jr.", is written over a horizontal line.

EWING WERLEIN, JR.  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> A suggestion of bankruptcy was filed as to Defendants WorldCom, Inc., MCI WorldCom Management Company, Inc., MCI WorldCom Communications, Inc., and MCI WorldCom Network Services, Inc., and by Order entered September 10, 2003, Judge Samuel B. Kent stayed and administratively closed Plaintiffs' claims against those defendants without prejudice to any party moving to reopen that portion of the case within thirty (30) days from the date of the final bankruptcy resolution. See Document No. 25.